

Message Text

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71

ACTION NRC-07

INFO OCT-01 EUR-12 IO-13 ISO-00 L-03 FEA-01 ACDA-10

CIAE-00 INR-07 NSAE-00 NSC-05 EB-07 OES-06 DODE-00

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INFO USMISSION EC BRUSSELS

USMISSION IAEA VIENNA

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DEPT. PASS NRC, MR. EILPERIN

E.O. 11652 N/A

TAGS: ENRG, GW

SUBJECT: GERMAN PROVISIONS FOR THE LIMITATION ON
LIABILITY FOR NUCLEAR ACCIDENTS

REF: STATE 227205

1. EMBASSY DISCUSSED QUESTIONS POSED IN REFTEL WITH
APPROPRIATE FRG MINISTRY OF THE INTERIOR OFFICIALS.
ANSWERS ARE GIVEN BELOW.

A. LIABILITY OF NUCLEAR POWER PLANT OPERATORS
FOR NUCLEAR ACCIDENTS IS LIMITED TO DM 1 BILLION.

B. NUCLEAR POWER PLANT OPERATORS CREATED AN
INSURANCE COMPANY - DEUTSCHE KERNREAKTOR VER-
SICHERUNGSGEMEINSCHAFT - TO OBTAIN FINANCIAL
PROTECTION FOR COMPENSATION IN CASE OF PERSONAL
INJURY IN A NUCLEAR ACCIDENT. THE AMOUNT OF
LIABILITY IS ADJUSTED TO THE SIZE OF THE
NUCLEAR INSTALLATION. FOR ALL NUCLEAR POWER
REACTORS WITH ELECTRICAL OUTPUT GREATER THAN
500MW THE AMOUNT IS DM 500 MILLION. SMALLER

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REACTORS REQUIRE DM 5 MILLION INSURANCE FOR

THE FIRST MW PLUS DM 1 MILLION FOR EACH
ADDITIONAL MW. INSURANCE REQUIRED FOR OTHER
NUCLEAR INSTALLATIONS IS CALCULATED ACCORDING
TO THE KIND AND AMOUNT OF NUCLEAR MATERIAL
EMPLOYED IN THEM. THE FRG REPROCESSING PLANT
WITH AN ANNUAL THROUGHPUT OF 1500 TONS OF
NUCLEAR IRRADIATED FUEL MUST OBTAIN INSURANCE
PROTECTION OF THE MAXIMUM DM 500 MILLION.
C. FRG LAWS PROVIDE FOR A GOVERNMENT
INDEMNIFICATION IN THE CASE OF A NUCLEAR
ACCIDENT. THE AMOUNT IS CALCULATED BY THE
DIFFERENCE BETWEEN THE ACTUAL CLAIM - UP TO THE
LIMIT OF DM 1 BILLION - AND THE INDEMNIFICATION
PROVIDED BY THE OPERATOR OF THE NUCLEAR
INSTALLATION, AS OUTLINED IN PARAGRAPH B ABOVE.

2. EMBASSY POUCHED RELEVANT DOCUMENTS TO NRC,
MR EILPERIN. THE DOCUMENTS ARE:

- A. ENGLISH LANGUAGE VERSION OF THE ATOMIC
ENERGY ACT.
- B. ENGLISH LANGUAGE VERSION OF THE CONVENTION
ON THIRD PARTY LIABILITY IN THE FIELD OF
NUCLEAR ENERGY AGREED UPON BY EIGHTEEN EUROPEAN
NATIONS.
- C. GERMAN LANGUAGE VERSION OF THE GOVERNMENT
DECREE PROVIDING FOR INSURANCE PROTECTION FOR
INDEMNIFICATION IN THE CASE OF A NUCLEAR
ACCIDENT.

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